



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

March 11, 2016

Certified Mail
7012 3460 0003 1113 2271

Caltrans - L.T. Davis Rest Stop
1657 Riverside Drive
Redding, CA 96001

TRANSMITTAL OF CITATION NO. 01-02-16(C)-004

Attn: John Dobson, Landscape Specialist

The State Water Resources Control Board, Division of Drinking Water, has issued Caltrans – L.T. Davis Rest Stop a citation, which is attached.

If you have any questions regarding this matter, please contact Stephen Rooklidge at (530) 224-2413 or me at (530) 224-4800.

A handwritten signature in black ink, appearing to read "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

Enclosures: Citation No. 01-02-16(C)-004
Attachment A – Public Notice Certification

cc: Plumas County Environmental Health Department

Sjr\3200020\File: Enforcement

1
2 **APPLICABLE AUTHORITIES**

3 **Section 116650 of California Health and Safety Code provides:**
4

5 (a) If the Division determines that a public water system is in violation of
6 this chapter or any regulation, permit, standard, citation, or order issued or adopted
7 thereunder, the Division may issue a citation to the public water system. The citation
8 shall be served upon the public water system personally or by certified mail. Service
9 shall be deemed effective as of the date of personal service or the date of receipt of
10 the certified mail. If a person to whom a citation is directed refuses to accept delivery
11 of the certified mail, the date of service shall be deemed to be the date of mailing.

12 (b) Each citation shall be in writing and shall describe the nature of the
13 violation or violations, including a reference to the statutory provision, standard, order,
14 citation, permit, or regulation alleged to have been violated.

15 (c) A citation may specify a date for elimination or correction of the
16 condition constituting the violation.

17 (d) A citation may include the assessment of a penalty as specified in
18 subdivision (e).

19 (e) The Division may assess a penalty in an amount not to exceed one
20 thousand dollars (\$1,000) per day for each day that a violation occurred, and for
21 each day that a violation continues to occur. A separate penalty may be assessed for
22 each violation.
23

24 **California Code of Regulations, Title 22, Section 64424, subsection (d) provides**
25 **in relevant part:**
26

1 (d) If a public water system for which fewer than five routine samples/month
2 are collected has one or more total coliform-positive samples, the water
3 supplier shall collect at least five routine samples the following month.
4

5 **California Code of Regulations, Title 22, Section 64426.1, subsection (b)(2)**
6 **provides in relevant part:**
7

8 (b) A public water system is in violation of the total coliform MCL when any of
9 the following occurs:

10 ... (2) For a public water system which collects fewer than 40 samples per
11 month, more than one sample collected during any month is total coliform-
12 positive; ...
13

14 **STATEMENT OF FACTS**

15 The California Department of Transportation (Caltrans) operates the L.T. Davis Rest
16 Stop water system that is located near Portola. There is one service connection that
17 serves a daily transient population of approximately 200. The water system includes
18 a water distribution system supplied by a groundwater well that operates seasonally
19 from May to October.
20

21 Caltrans is required to collect one routine bacteriological water sample per month
22 from their distribution system. In July 2015, Caltrans collected one bacteriological
23 sample from the distribution system that was determined to be positive for total
24 coliform and negative for E.coli. Four additional repeat bacteriological samples were
25 collected in July 2015 (one from the well source and three from the distribution
26 system), and two of the distribution system samples were also positive for total
27 coliform bacteria. The system was chlorinated, flushed, and four repeat samples

1 collected in early August 2015 indicated no positive bacteriological samples. Caltrans
2 complied with the public notification requirements of Section 64463.7 and Section
3 64465, Title 22 of the CCR, by posting signage at the water spigots when notified of
4 the positive repeat samples stating the water was not to be used until the repeat
5 samples indicated the water was negative for bacteriological contamination.

6
7 Caltrans submitted a Bacteriological Sample Siting Plan (BSSP) to the Division in
8 October 2015. The BSSP specifies one routine sample location and four repeat
9 sample locations for the routine sample location. The BSSP also specifies that the
10 following month, after a positive sample is collected, five repeat samples will be
11 collected from the water system.

12 13 **DETERMINATION**

14 The Division has determined that Caltrans violated Section 64426.1 (b)(2), Title 22 of
15 the CCR, in that the water system bacteriological samples were above the maximum
16 contaminant level for total coliform in July 2015.

17
18 The Division has determined that Caltrans violated Section 64424 (d), Title 22 of the
19 CCR, in that Caltrans collected four routine bacteriological samples the following
20 month (August 2015) instead of the five routine samples required.

21 22 **DIRECTIVES**

23 The Caltrans is hereby directed to take the following actions:

- 24
25 1. Comply with Sections 64424 and 64426.1, Title 22, of the CCR in all future
26 monitoring periods.

2. During the first month L.T. Davis Rest Stop is open for the 2016 season, but in no case later than **May 15, 2016**, five routine bacteriological samples must be collected and analyzed from the water distribution system in accordance with the current Caltrans BSSP for L.T. Davis Rest Stop.
3. Submit a Certification of Public Notification (attached) to the Division, with examples of the notice used in July 2015 to alert the public of the positive samples.
4. Notify the Division of your intention to pressurize the water system 14 days prior to opening the L.T. Davis Rest Stop.

All documents required by this Citation shall be submitted to the Division to the following address:

Michael J. McNamara, P. E.
Lassen District Engineer
State Water Resources Control Board
Division of Drinking Water
364 Knollcrest Drive, Suite 101
Redding, CA 96002
(530) 224-4800

Nothing in this Citation relieves Caltrans of its obligation to meet the requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or any regulation, permit, standard or order issued or adopted thereunder.

The Division reserves the right to make such modifications to this Citation, as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

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PARTIES BOUND

This Citation shall apply to and be binding upon Caltrans, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and Caltrans shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

3-11-2016

Date

Michael J. McNamara

Michael J. McNamara, Lassen District Engineer
Northern California Section
Division of Drinking Water
State Water Resources Control Board



COMPLIANCE CERTIFICATIONCitation Number: **01-02-16(C)-004**Name of Water System: **Caltrans - L.T. Davis Rest Stop**System Number: **3200020**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of July 2015. In addition, I certify that the L.T. Davis Rest Stop complied with the directives of this citation as indicated below:

Required ActionDate Completed

Public Notification, as required by Directive 3

Signature of Water System Representative

Date

Attach a copy of the direct delivery notice used in the July 2015 event to notify the public.

<p>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN MAY 15, 2016</p>

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.